

Exhibit A

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

– against –

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. P. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

– against –

ABN AMRO BANK N.V. (presently known as
THE ROYAL BANK OF SCOTLAND, N.V.),

Defendant.

Adv. P. No. 11-02760 (SMB)

**[PROPOSED] STIPULATED ORDER DENYING REQUEST TO
CERTIFY JUDGMENT FOR DIRECT APPEAL TO THE
UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT**

Defendant ABN AMRO Bank N.V. (presently known as The Royal Bank of Scotland, N.V.) (“RBS/ABN”), and Plaintiff Irving H. Picard as trustee of the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC, under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa et seq., and the estate of Bernard L. Madoff, individually, (the “Trustee,” and together with RBS/ABN, the “Parties”), by and through their respective undersigned counsel, state as follows:

WHEREAS, on November 22, 2016, this Court entered the Memorandum Decision Regarding Claims to Recover Foreign Subsequent Transfers, directing dismissal of the Trustee's remaining claim against defendant ABN AMRO N.V. (presently known as The Royal Bank of Scotland, N.V.). *Securities Investor Protection Corp. v. Bernard L. Madoff Investment Secs. LLC (In re Madoff)*, No. 08-01789 (SMB), ECF No. 14495;

WHEREAS, on March 3, 2017, this Court entered the Stipulated Final Order Granting Motion to Dismiss Complaint (the "Judgment"). ECF No. 74;

WHEREAS, on March 14, 2017, the Trustee filed a Notice of Appeal, ECF No. 75, the Notice of Trustee's Request for Certification of Judgment for Direct Appeal to the United States Court of Appeals for the Second Circuit Pursuant to 28 U.S.C. § 158(d)(2) and Fed. R. Bankr. P. 8006(f) (the "Petition"), ECF No. 77, and the Memorandum of Law in Support of Trustee's Request for Certification of Judgment for Direct Appeal to the United States Court of Appeals for the Second Circuit Pursuant to 28 U.S.C. § 158(d)(2) and Fed. R. Bankr. P. 8006(f), ECF No. 78;

WHEREAS, on March 28, 2017, Defendant ABN AMRO Bank, N.V. filed an Objection to the Motion and the Memorandum of Law in Opposition to Trustee's Request for Certification of Judgment for Direct Appeal to the United States Court of Appeals for the Second Circuit Pursuant to 28 U.S.C. § 158(d)(2) and Fed. R. Bankr. P. 8006(f). ECF No. 83;

WHEREAS, on March 29, 2017, a hearing was held on the Petition;

WHEREAS, on May 4, 2017, this Court entered the Memorandum Decision Denying Request to Certify Judgment for Direct Appeal to the United States Court of Appeals for the Second Circuit (the "Memorandum Decision"). ECF No. 88;

NOW, for the reasons set forth in the Memorandum Decision, which is incorporated

herein and attached hereto as Exhibit A, the Parties agree and stipulate and the Bankruptcy Court hereby orders:

1. The Petition is **DENIED** pursuant to 28 U.S.C. § 158(d)(2)(A).
2. The bankruptcy clerk shall promptly transmit the Notice of Appeal to the district clerk pursuant to Fed. R. Bankr. P. 8003(d).

Dated: May [●], 2017
New York, New York

By: /s/ Michael S. Feldberg
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N.V. (presently known as The Royal Bank of
Scotland, N.V.)*

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*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment
Securities LLC and the Estate of Bernard L.
Madoff*

SO ORDERED

**HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE**